

Robert A. Mittelstaedt (State Bar No. 60359)  
ramittelstaedt@jonesday.com  
David C. Kiernan (State Bar No. 215335)  
dkiernan@jonesday.com  
Lin W. Kahn (State Bar No. 261387)  
linkahn@jonesday.com  
JONES DAY  
555 California Street, 26th Floor  
San Francisco, CA 94104  
Telephone: (415) 626-3939  
Facsimile: (415) 875-5700

Attorneys for Defendant  
Adobe Systems Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

IN RE: HIGH-TECH EMPLOYEE  
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

**Master Docket No. 11-CV-2509-LHK**

**DECLARATION OF LIN W. KAHN  
IN SUPPORT OF DEFENDANTS'  
JOINT OPPOSITION TO  
PLAINTIFFS' MOTION TO  
EXCLUDE EXPERT TESTIMONY  
PROFFERED BY DEFENDANTS**

Date: March 20, 2104 and  
March 27, 2014  
Time: 1:30 p.m.  
Courtroom: 8, 4th Floor  
Judge: The Honorable Lucy H. Koh

1 I, Lin W. Kahn, declare as follows:

2 1. I am an attorney with the law firm of Jones Day, counsel for Defendant Adobe  
3 Systems Inc. ("Adobe") in the above-captioned action. I am admitted to practice law before this  
4 Court. I submit this declaration in support of Defendants' Joint Opposition to Plaintiffs' Motion  
5 to Exclude Expert Testimony Proffered by Defendants. As an attorney involved in the defense of  
6 this action, I have personal knowledge of the facts stated in this declaration and if called as a  
7 witness, I could and would competently testify to them.

8 **Deposition Testimony**

9 2. Attached hereto as **Exhibit 2** is a true and correct copy of transcript excerpts from  
10 the November 18, 2013 deposition of Edward Leamer.

11 3. Attached hereto as **Exhibit 5** is a true and correct copy of transcript excerpts from  
12 the December 19, 2013 deposition of Edward Leamer.

13 4. Attached hereto as **Exhibit 6** is a true and correct copy of transcript excerpts from  
14 the December 9, 2013 deposition of Lauren Stiroh.

15 5. Attached hereto as **Exhibit 7** is a true and correct copy of transcript excerpts from  
16 the December 10, 2013 deposition of Elizabeth Becker.

17 **Expert Reports**

18 6. Attached hereto as **Exhibit 1** is a true and correct copy of Edward Leamer's  
19 October 28, 2013 Merits Report, with Exhibits A and C, in redacted form pursuant to a pending  
20 motion to seal (*see* Dkt. Nos. 577, 581–9 (Redacted), and 581–10 (Unredacted); 577–37  
21 (Redacted), and 577–38 (Unredacted); 577–41 (Redacted), and 577–42 (Unredacted)).  
22 Declarations in support of sealing were filed at Dkt. Nos. 575, 576, 578, 579, 580.

23 7. Attached hereto as **Exhibit 3** is a true and correct copy of the December 6, 2013  
24 Supplement to David Lewin's Report.

25 8. Attached hereto as **Exhibit 4** is a true and correct copy of Edward Leamer's  
26 December 11, 2013 Merits Reply Report in redacted form pursuant to a pending motion to seal  
27 (*see* Dkt. Nos. 577, 581–11 (Redacted), and 581–12 (Unredacted)). Declarations in support of  
28 sealing were filed at Dkt. Nos. 575, 576, 578, 579, 580.

